

# United States District Court District of Massachusetts

UNITED STATES OF AMERICA,

v.

CRIMINAL NO. 2003-10370-DPW

DOUGLAS K. BANNERMAN,  
KURT WALTER,  
GARY NEWELL,  
DANIEL MACAULEY,  
JOHN McCARTHY,  
JOHN GRAHAM,  
SCOTT MYERS,  
JOSE VEZGA,  
Defendants.

## ORDER OF EXCLUDABLE DELAY

COLLINGS, U.S.M.J.

The Court orders the following period of time excludable from the time period within which trial must commence:

12/4/2003 - Indictment returned.

12/2/2003 - 1/22/2004 - Government's Motion for Detention of  
Walter - filing to hearing.

1/22 - 2/2/2004 - Government's Motion for Detention of Walter -  
hearing to decision.

2/3/2004 - Arraignment of defendant Newell.

2/4 - 3/3/2004 - Excluded as per L.R. 112.2(A)(2)

2/9/2004 - Conference held.

2/10 - 4/4//2004 - Continuance granted so that defendant Myers and counsel for the other defendants may complete a review of the Government's discovery, which is voluminous. I find that the ends of justice served by granting the continuance outweigh the interest of the public and the defendants in a speedy trial.

Thus, as of April 4, 2004, no (0) non-excludable days will have occurred leaving SEVENTY (70) days left to commence trial so as to be within the seventy-day period for trial set by statute.

/s/ Robert B. Collings

ROBERT B. COLLINGS  
United States Magistrate Judge

February 9, 2004.